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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,810	03/22/2006	Robert A Ghanea-Hercock	36-1969	4899
23117 7590 05/14/2008 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER				
SHEDRICK, CHARLES TERRELL				
ART UNIT		PAPER NUMBER		
2617				
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05/14/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/572,810

Applicant(s)

GHANEA-HERCOCK, ROBERT A

Examiner

CHARLES SHEDRICK

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____
- Paper No(s)/Mail Date ____

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

the claimed invention is directed to non-statutory subject matter. **Claim 7** indicates a computer Program and **Claim 8** indicates a modulated carrier signal incorporating data corresponding to the computer, program or at least one of the suite of programs of claim 7. Signal claims and computer programs absent of a computer readable medium or equivalent storage thereof are non-statutory

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims **1-6 and 9** are rejected under 35 U.S.C. 102(b) as being anticipated by **Ross WO**

02/41114 A2.

Consider **claim 1**, Ross teaches a method for generating an authentication rating for an entity, comprising: receiving a message identifying an entity (e.g., **an entity wishes to Authenticate a user**) (see at least abstract, figure 1 and paragraphs 0025-0027), which message requires authentication of said entity(e.g., **remote user authentication**)(see at least abstract, figure 1 and paragraphs 0025-0027); receiving data from each of a plurality of sources (e.g., see paragraphs 0025, 0035-0041 and figures 1-2), said data representing at least

a rating for said authentication according to a criteria(e.g., see **paragraphs 0025, 0035-0041 and figures 1-2**); analysing said received data using a set of predefined fuzzy inferencing rules so as to calculate an authentication rating for said entity(e.g., see **paragraphs 0025, 0035-0041 and figures 1-2**).

Consider **claim 5**, Ross teaches 5 a system for generating an authentication rating for an entity, comprising: receiving means for receiving a message identifying an entity **e.g., an entity wishes to Authenticate a user**) (see at least **abstract, figure 1 and paragraphs 0025-0027**), which message requires identification of said entity(e.g., **remote user authentication**)(see at least **abstract, figure 1 and paragraphs 0025-0027**); the receiving means being further arranged to receive in use from each of a plurality of sources data representing a rating of said entity according to a criteria(e.g., see **paragraphs 0025, 0035-0041 and figures 1-2**); and processing means arranged in use to analyze said received data using a set of predefined fuzzy inferencing rules so as to calculate an authentication rating for said entity(e.g., see **paragraphs 0025, 0035-0041 and figures 1-2**).

Consider **claim 2 and as applied to claim 1**, Ross teaches wherein said data from each source comprise data representing a trust rating for said entity and data representing an associated confidence rating (i.e., a **verification regarding the level of safety**)(e.g., see **paragraphs 0014, 0035 and 0041**).

Consider **claim 3 and as applied to claim 2**, Ross teaches wherein the analysis comprises: combining said plurality of data representing a trust rating using a first predefined set of fuzzy inferencing rules so as to calculate a combined trust rating(e.g., see **paragraphs 0014, 0025, 0035-0041 and figures 1-2**); combining said plurality of confidence rating data using a

second predefined set of fuzzy inferencing rules to calculate a combined confidence rating (**i.e., a database of information and a set of queries based on a subset of all queries**) (e.g., see **paragraphs 0014, 0025, 0035-0041 and figures 1-2**); and then analysing said combined trust rating and said combined confidence rating using a third predefined set of fuzzy inferencing rules so as to calculate said authentication rating(**i.e., a database of information and a set of queries based on a subset of all queries**) (e.g., see **paragraphs 0014, 0025, 0035-0041 and figures 1-2**).

Consider **claim 4 and as applied to claim 1**, Ross teaches where one of the sources is a local store for storing previous case data relating to a user (e.g., see **databases of figure 1 for storing data**).

Consider **claim 6 and as applied to claim 5**, Ross teaches said processing means being further arranged to compare said authentication rating with a predefined policy so as to determine whether to issue, an authenticate signal (e.g., see **paragraphs 0014, 0025, 0035-0041 and figures 1-2**).

Consider **claim 9**, Ross teaches computer readable storage medium storing a computer program or at least one of a suite of computer programs as claimed in claim 7(**e.g., see figures 1 and 2**).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHARLES SHEDRICK whose telephone number is (571)272-8621. The examiner can normally be reached on Monday thru Friday 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harper Paul can be reached on (571)-272-7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VINCENT P. HARPER/
Supervisory Patent Examiner, Art Unit 2617

/Charles Shedrick/
Examiner, Art Unit 2617
May 6, 2008